

Remarks/Arguments

Reconsideration of the rejections set forth in the Office Action dated February 19, 2008 is respectfully requested. In the Office Action, the Examiner objected to the title of the invention as allegedly being not descriptive. In addition, claims 5-8 were objected due to the recitation “the one or more web site identifiers” allegedly having insufficient antecedent basis. Furthermore, the Examiner rejected claims 1-3, 5, 7 and 8 as allegedly being anticipated by U.S. Patent Number 5,907,322 (“Kelly”). In addition, the Examiner rejected claims 4 and 6 as allegedly being unpatentable over Kelly in view of USP 5,895,462 (“Toki”). Claims 1-8 are pending and are submitted for reconsideration.

I. Title of the Invention

The subject application is entitled “Information Storage and Retrieval Device.” As the title suggests, information regarding a product or service advertised on television is stored by an advertiser, and at a later time retrieved by a user of the system. Applicant fails to see why the title is not sufficiently descriptive, and respectfully request that the Examiner clarify his reasons for the objection, as they are not provided in the Office Action.

II. Claim Objections

Claims 5 and 8 have been amended to show clear antecedent basis for the “one or more identifiers” recited in the claims. Accordingly, this objection has been traversed.

III. Claim Rejections

The Examiner relied solely on the Kelly reference in rejecting the subject claims. Applicant respectfully disagrees. Although Kelly’s teachings have certain similar aspects as the subject invention, the two are patentably different.

As it is prevalent throughout the disclosures in Kelly, one requirement for Kelly's system to work is that a user must intentionally and knowingly "bookmark" a TV event. See, e.g., Col. 2, lines 52-53 ("the viewer can mark the specified broadcast event by activating a select button 15 on a remote control 12."); Col. 3, lines 40-44; Col. 4, lines 8-16, etc. Such is not a requirement or limitation of the subject invention and claims.

What happens if the user forgets to bookmark the TV event or is too slow to press the remote control button to bookmark the TV event? Kelly's system would fail.

To the contrary, the subject invention provides a directed search engine that enables a user to retrieve information broadcast on television without having to "bookmark" such broadcast information. Instead, the subject system provides guided search parameters for the user to retrieve the desired information, as recited in the claims.

As such, Kelly teaches away from the subject invention and, thus, does not anticipate the subject invention and cannot alone or in combination with another reference render the present invention obvious.

The undersigned respectfully request a telephone interview with the Examiner at the Examiner's earliest convenience to further clarify this patentable difference between Kelly and the present invention.

Respectfully submitted,

The Law Offices of K. W. Wang



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By Karry. W. Wang
Reg. No. 50,178
3342 Park Ridge Dr.
Richmond, CA 94806
Tel: (510) 223-8818
kwang@kwwang.com